



U.S. Department of Justice  
United States Attorney  
District of Kansas

## NEWS RELEASE

Eric Melgren, U.S. Attorney

---

**Contact: Kena Rice**

(316) 269-6481

**Headquarters**  
1200 Epic Center  
301 N. Main  
Wichita, Kansas 67202  
(316)269-6481  
FAX (316)269-6484

**Topeka Office**  
444 Quincy  
Topeka, Kansas 66683

**Kansas City Office**  
500 State Avenue  
Suite 360  
Kansas City, Kansas 66101

### FOR IMMEDIATE RELEASE

News releases are available at [www.usdoj.gov/usao/ks/](http://www.usdoj.gov/usao/ks/)  
May 28, 2004

## GRAND JURY RETURNS INDICTMENTS

KANSAS CITY, Kan. – United States Attorney Eric Melgren announced that twelve individuals were indicted on May 27, 2004, by a federal grand jury in Kansas City, Kansas. Those indicted include:

- **Brett A. Spencer, 43, and Sherry D. Spencer**, age unknown, currently of Siloam Springs, Arkansas, previously of Overland Park, Kansas, husband and wife, are charged with five counts of mail fraud and five counts of wire fraud from June 26, 1997, through October 3, 2003.

The indictment alleges that Brett Spencer received Social Security disability insurance benefits beginning in 1996 based on an application he submitted in 1995 claiming a disabling condition and that Sherry Spencer received Social Security child's insurance benefits starting in 1996 for their two children based on Brett Spencer's alleged disability. The indictment further alleges that starting in July 1997, Brett and Sherry Spencer obtained a franchise for SuperGlass Windshield Repair, Inc., and started operating a windshield repair service in the Kansas City area. The indictment further alleges that between January 1997 and March 2003, Brett Spencer repaired and replaced automobile window glass with reported sales from their business of over \$350,000. The indictment alleges that from January 1997 through March 2003, Brett Spencer failed to notify the Social Security Administration that his medical condition had improved and he had returned to work and as a self-employed person and they continued to receive payments from the Social Security Administration.

If convicted, each face a maximum of twenty years in federal prison, without parole, on each count of mail fraud, a maximum of five years on four counts of wire fraud, and a maximum of twenty years on the final count of wire fraud. The case was investigated by the Social Security Administration, Office of Inspector General, and is being prosecuted by Assistant U.S. Attorney Marietta Parker.

–MORE–

- **Brett Gouvion**, 18, Overland Park, Kansas, is charged with one count of possessing child pornography that had been shipped by computer on October 28, 2003, in Johnson County, Kansas.

If convicted, Gouvion faces a maximum of five years in federal prison without parole. The case was investigated by the Bureau of Immigration and Custom Enforcement and is being prosecuted by Assistant U.S. Attorney Kim Berger.

- **Israel Reyes-Suarez**, 22, Mexico, is charged with three counts of transporting illegal aliens on May 18, 2004, in Leavenworth County, Kansas.

If convicted, Reyes-Suarez faces a maximum of ten years in federal prison, without parole, on each count. The case was investigated by the Bureau of Immigration and Custom Enforcement and is being prosecuted by Assistant U.S. Attorney Mike Christensen.

- **Andre Ivory, 28, Valerie Cheek, 40, Chaconie Edwards, 27, Kimberly Sanders, 26**, all of Lawrence, Kansas and **Pamela Tyler, 48**, from Kansas City, Kansas, were charged as follows:

Ivory, Tyler & Cheek were charged with conspiracy to distribute and possess with intent to distribute more than five grams of crack cocaine. Ivory is also charged with three counts of distributing more than five grams of crack cocaine and one count of possession with intent to distribute more than five grams of crack cocaine. Tyler is also charged with one count of possession with intent to distribute more than five grams of crack cocaine. All of these counts carry a possible sentence of no less than five years to no more than forty years imprisonment.

Ivory is also charged with two counts of distributing crack cocaine. Cheek is charged with one count of distributing crack cocaine. These charges carry a possible sentence of no more than twenty years imprisonment.

Ivory, Tyler, Edwards & Sanders were charged with conspiracy to kill a witness, attempt to kill a witness, and using, carrying, discharging, and possessing a firearm during and in relation to a crime of violence. The conspiracy and attempt to kill a witness carries a possible sentence of no more than twenty years. The firearm charge carries a sentence of no less than ten years consecutive to the sentence for the crime of violence.

Edwards & Sanders were also charged with threatening, intimidating, attempting to threaten, or attempting to intimidate a witness during a telephone conversation. This count carries a possible sentence of no more than ten years imprisonment.

A criminal complaint filed with the court alleges that Tyler, girlfriend of Ivory, who was charged on April 1, 2004, in U.S. District Court with distributing crack cocaine, conspired with Edwards, and Sanders to have another individual crash into the witness' vehicle on April 29, 2004, and fire at least three shots at the witness, which wounded the witness in the legs in an attempt to kill the witness, who they believed was a cooperating witness in the case against Ivory.

If convicted, each face a maximum of twenty-years in federal prison for conspiracy to kill a witness, a maximum of ten years in federal prison for threatening a witness, and a maximum of life in federal prison for possession of a firearm in furtherance of a crime of violence. The case was investigated by the Lawrence Police Department, the Douglas County Sheriff's Office, the Douglas County District Attorney's Office, and the Federal Bureau of Investigation and is being prosecuted by Assistant U.S. Attorney Scott Rask.

- **Juan Valencia, 31, Joel Becerra-Cesario, 28, and Bonifacio Pena-Acosta, 21,** Mexico, are currently in custody and charged with one count conspiracy and possession with intent to distribute 5 kilograms or more of cocaine, and one count of possession with intent to distribute 5 kilograms or more of cocaine.

If convicted, each face a minimum of ten years and a maximum of life in federal prison for possession with intent to distribute cocaine. The case was investigated by the Drug Enforcement Administration and is being prosecuted by Assistant U.S. Attorney Sheri McCracken.

As in any criminal case, a person is presumed innocent until and unless proven guilty. The Indictments filed merely contain allegations of criminal conduct.